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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BRADLEY ROBERTS, individually,

Plaintiff,

vs.

CLARK COUNTY SCHOOL DISTRICT;
DOES I-X; and ROE CORPORATIONS I-X,
inclusive,

Defendants.

Case No.: 2:15-CV-00388-JAD-PAL

**STIPULATION AND ORDER FOR A
LIMITED EXTENSION OF DISCOVERY
TO ALLOW PLAINTIFF TO CONDUCT
REMAINING DEPOSITIONS**

Plaintiff Bradley Roberts and Defendant Clark County School District, by and through their undersigned counsel, hereby stipulate and request that this Court amend the current scheduling order and discovery plan by granting a limited extension of the current discovery cut-off date of June 6,

2016 only to allow for specific depositions to be taken by Plaintiff after the current discovery cutoff of June 6, 2016. These depositions could not be accomplished in these final days of discovery due to witness and counsel unavailability, and the importance of allowing CCSD's deposition of the Plaintiff, as noticed for June 2, 2016, to go forward undisturbed.

DISCOVERY TO BE COMPLETED

AND REASONS FOR THIS LIMITED EXTENSION REQUEST TO COMPLETE

DEPOSITIONS

Plaintiff has repeatedly expressed his intention and had already (on previous occasions) issued notice for specific 30(b)(6) subjects for CCSD designees. Plaintiff has always indicated his intention to depose four fact witnesses in his chain of command or who attended and spoke at one or more of the critical meeting with him on these matters¹: CCSD attorney Jon Okazaki, and then CCSD Police Department officials Lt. Kenneth Young, Cpt. Anthony York, and Sgt. Anthony Jones. Plaintiff did not want to waste resources nor incur the expense of taking these additional depositions until absolutely necessary, including his review of the documents that CCSD was recently ordered to produce regarding its decision-making process about the two CCSD policies which form the basis of this discrimination and retaliation lawsuit. [ECF No. 128].

Defendant CCSD produced those previously-withheld documents on May 17, 2016. Plaintiff then narrowed, combined and focused the 30(b)(6) deposition subjects and percipient witness depositions he wanted to take and reached out to CCSD to schedule those depositions. However, the parties were unable to come to mutually available dates and times for those remaining depositions within the current discovery deadline, thus prompting the instant request.

The parties have diligently worked together to come up with a schedule for these remaining depositions. CCSD has informed Plaintiff that percipient witness Jon Okazaki will also be CCSD's designee for the three 30(b)(6) deposition subjects (Subjects Nos. 4, 5, and 6) and he was not available on the days and at the times (within discovery period) first noticed. Accordingly, Plaintiff and

¹ Pared down from the 18+ witnesses listed by CCSD in their disclosures, and after CCSD supplemented those disclosures to provide more information about the scope of their knowledge.

1 Defendant CCSD have agreed that these three 30(b)(6) designee depositions of CCSD, with Mr.
2 Okazaki as CCSD's designee will take place seriatim (beginning at 9:30 am) and be completed on
3 June 9, 2016. Mr. Okazaki's percipient witness deposition will be scheduled for the morning of June
4 10, 2016, with the understanding that it will be no longer than half the day. The parties have also
5 conferred and can agree to have the three depositions, Lt. Kenneth Young, Captain Anthony York,
6 and Sgt. Anthony Jones, take place beginning and finishing on one day, June 14, 2016, with Sgt.
7 Jones' deposition occurring first to accommodate his unavailability that afternoon.

8 The parties have been working diligently to accomplish these matters in light of this
9 background. On May 4, 2016, the parties submitted a proposed stipulation and request for stay of
10 remaining discovery due to the pendency of the cross motions for summary judgment, although the
11 parties had agreed that CCSD would depose Plaintiff prior to June 6, 2016 and had been working on
12 finding a mutually acceptable date. [ECF No. 127].

13 On May 16, 2016, Plaintiff filed a request to submit supplemental briefing on the pending
14 cross-motions for partial summary judgment [ECF No. 129]. On May 17, 2016, the Court granted
15 Plaintiff's motion, allowing both sides to submit limited supplemental briefing by June 30, 2016.
16 However, that ORDER denied the parties' request for a discovery stay. [ECF No. 131].

17 The parties hastened to complete all remaining discovery in the last two and half weeks of the
18 existing discovery period. As noted above, Defendant CCSD produced the documents a day earlier
19 (on May 17, 2016) than required by this Court's ORDER [ECF No. 128] and took the all-day
20 deposition of Plaintiff Roberts on June 2, 2016. Due to CCSD's schedule (school ending on June 1,
21 2016) and the existing schedules of the witnesses (Mr. Okazaki for all subjects and in his own right),
22 and their counsel, the parties were unable to schedule these specific depositions by June 6, 2016. The
23 parties and their counsel have been working together to arrive at this proposed deposition schedule
24 and are making this joint request for a limited extension of the current discovery cut-off date to allow
25 the remaining depositions to occur on the above-referenced dates.

26 This request, and the taking of these depositions, will not impair the ability of the parties to
27 fully comply with this Court's Order [ECF. No. 131] with its supplemental briefing deadline of June
28 30, 2016 on the cross-motions for summary judgment.

This limited extension request, solely for the taking of the enumerated depositions on the dates listed above, is sought in good faith and not for the purpose of any improper delay.

DATED June 3, 2016

DATED June 3, 2016.

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/s/ Danielle J. Barraza

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ORDER

IT IS SO ORDERED this 8th day of June, 2016.

Jerry A. Feen
UNITED STATES MAGISTRATE JUDGE

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ATTORNEYS AT LAW

